

REMARKS

Claims 12-18 and 20-29 are pending in the present application. Claims 14, 16, and 21-23 were previously withdrawn as being drawn to non-elected matter in response to the February 27, 2007 Restriction Requirement. In the present Office Action, claims 12, 13, 15, 17, 18, 20, and 24-26 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 12, 17, 18, 25, and 26 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,739,293 to Hurley et al. ("Hurley"). Further, claim 20 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hurley and the Examiner's statement of ordinary skill in the art. Claims 27-29 have been allowed.

In this response, claims 12 and 26 have been amended. No new matter has been added.

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

Allowed Claims:

Applicants appreciatively acknowledge the Examiner's indication that claims 27-29 have been allowed. However, in view of the above amendments and following remarks, it is respectfully submitted that all claims are in condition for allowance.

Rejection Under 35 U.S.C. §112:

Claims 12, 13, 15, 17, 18, 20, and 24-26 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Specifically, the Examiner notes that claims 12 and 26 recite a misdescriptive limitation, and that claims 13, 15, 17, 18, 20, 24, and 25 inherit this defect by virtue of their dependency. In response to the rejection, claims 12 and 26 have been amended to address the rejection.

Withdrawal of the rejections of claims 12, 13, 15, 17, 18, 20, and 24-26 under 35 U.S.C. §112, second paragraph, is respectfully requested.

Rejections under 35 U.S.C. §102(b):

Claims 12, 17, 18, 25, and 26 were rejected under 35 U.S.C. 102(b) as being anticipated by Hurley. It is respectfully submitted that the presently claimed invention is not anticipated by Hurley.

Hurley describes a three phase electrical connector 10 a having terminal 16 and a conductor 24. The conductor 24 provides a connection between the terminal 16 and contact 26. *See* Hurley, col. 5, lines 17-38; Fig. 2.

Independent claims 12 and 26 of the present application have now been amended so as to recite an electrical switching device including a second connection device “configured for pluggable connection of a respective second electrical conductor between the respective first connection device and the respective fixed contact.” Support for this amendment may be found, for example, in Paragraph [0023] of the Specification and in Figs. 1, 2a, and 2b.

It is respectfully submitted that Hurley does not teach a second electrical connection device configured for pluggable connection of a second electrical conductor between the first connection device and the fixed contact, as recited in amended claims 12 and 26. In contrast, Hurley merely describes a contactor 10 having a terminal 16 and a conductor 24. Conductor 24 merely provides a connection between the terminal 16 and the contact 26. *See* Hurley, Fig. 2. Conductor 24 is not configured for pluggable connection. Hurley teaches no second connection device configured for pluggable connection of a second conductor between terminal 16 and contact 26. Because Hurley is missing at least the above-recited features of independent claims 12 and 26, Hurley cannot anticipate claims 12 and 26 or their dependent claims 17, 18, and 25.

Accordingly, for at least the reasons described above, withdrawal of the rejection to independent claims 12 and 26, and dependent claims 17, 18, and 25 under 35 U.S.C. §102(b) based on Hurley is respectfully requested.

Rejections under 35 U.S.C. §103(a):

Claim 20 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hurley and the Examiner's statement of ordinary skill in the art.

Claim 20 depends from claim 12, and the Examiner's statement of ordinary skill in the art does not cure the deficiencies of Hurley.

Accordingly, withdrawal of the rejection of claim 20 under 35 U.S.C. §103(a) based on Hurley and the Examiner's statement of ordinary skill in the art is respectfully requested.

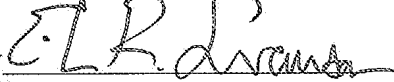
CONCLUSION

Each and every point raised in the Final Office Action mailed September 11, 2008 has been addressed on the basis of the above remarks. In view of the foregoing, it is believed that the application is in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: November 10, 2008

Respectfully submitted,

By 

Erik R. Swanson

Registration No.: 47,522

DARBY & DARBY P.C.

P.O. Box 770

Church Street Station

New York, New York 10008-0770

(212) 527-7700

(212) 527-7701 (Fax)

Attorney For Applicants